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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,053	08/06/2003	Frank Martinez	6542/53775	1344

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EXAMINER

SOMMERFELD, PAUL J

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Group I: Claims 1-32, relate to one aspect of the present invention, as described in the specification of the instant application (page 2 line 21 through page 3 line 2, Figure 11), involving a messaging system including a means of indexing and retrieving records that is based on the contents of the BLOB or other data object (**class 707, subclass 10**).

Group II: Claims 33-38, relate to a further aspect of the present invention, as described in the specification of the instant application (page 3 lines 3-14, and page 38 line 1 through page 40 line 21, Figure 12), involving a messaging system including classifying records as having continuously-streaming-content, wherein the addition of content to the record in the form of content chunks, essentially never ends (**class 707, subclass 104.1**).

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none of the claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul J. Sommerfeld whose telephone number is 571 272-6545. The examiner can normally be reached on M-F 7:45 am - 4:15pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on 571 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PS

A handwritten signature in black ink, appearing to read 'Tim Vo', with a long, sweeping horizontal stroke extending to the left.

TIM VO
PRIMARY EXAMINER